

## FISH &amp; RICHARDSON P.C.,P.A.

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www.fr.com

**Date** December 8, 1999

**To** Donna Chapman  
Supervisor of Clerical Staff  
USPTO

**Facsimile number** 07148-032000011 / (703) 305-7401

**From** M. Angela Parsons, PhD.

**Re** Mutations in Brassica Plants  
USSN 08/572,027  
Our Ref.: 07148-032001

**Number of pages  
including this page** 10

**Message** Dear Ms. Chapman,

As per our telephone conversation this afternoon, please find enclosed photocopies of the CPA filing documents (Transmittal letter, 2 pages; Postcard, 1 page) that were originally filed on December 28, 1998 concerning USSN 08/572,027. Additionally enclosed are photocopies of Applicants' Response to Notice of Abandonment filed on April 19, 1999 (Transmittal letter, 1 page; Response to Notice of Abandonment, 1 page; Postcard, 1 page; Photocopies of the 12-28-98 CPA filing documents, 3 pages). Accordingly, Applicants request that the above-referenced application be withdrawn from abandonment and prosecution continued. Please call me direct [(612) 337-2577] if you have any additional questions. Thank you. Dr. Parsons.

**NOTE:** This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at 612 335-5070 to arrange for its return. Thank you.

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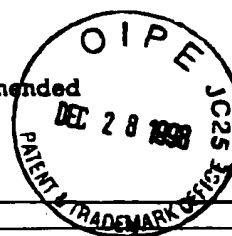
## PATENT

ATTORNEY DOCKET NO.: 07148/032001

The Patent and Trademark Office date stamp sets forth the date of receipt of:

Applicant or Patentee Lorin R. DeBonte et al.No. (Application, Appeal, Interference, Patent, Reexam) 08/572,027Filing or Issue Date 12/14/95Title Plants Having Mutant Sequences That Confer Altered

- |  |  |                            |
|--|--|----------------------------|
| <input checked="" type="checkbox"/> Transmittal Letter (2 copies)  | <input type="checkbox"/> With Pet. for Ext.                        | <u>FATTY ACID PROFILES</u> |
| <input type="checkbox"/> Assignment <u>CPA - 2 pages</u>   | <input type="checkbox"/> Status Inquiry                            |                            |
| <input type="checkbox"/> Amendment/Response <u>    </u> Pages  | <input type="checkbox"/> Declaration                               |                            |
| <input type="checkbox"/> Maintenance Fee   | <input type="checkbox"/> Request Certificate of Correction         |                            |
| <input checked="" type="checkbox"/> Check \$ <u>1,720</u>  | <input type="checkbox"/> Notice of Appeal                          |                            |
| <input type="checkbox"/> Deposit Account Order Form (2 copies)   | <input type="checkbox"/> Appeal Brief (3 copies) <u>    </u> Pages |                            |
| <input type="checkbox"/> Issue Fee <input type="checkbox"/> Request Patent Copies                                  | <input type="checkbox"/> Petition for Extension of Time            |                            |
| <input type="checkbox"/> Information Disclosure Statement  |  |                            |
| <input type="checkbox"/> PTO 1449 Form - <u>    </u> Pages   |  |                            |
| <input type="checkbox"/> Prior Art References - Number of References <u>    </u>                                   |  |                            |
| <input type="checkbox"/> Drawings <u>    </u> Sheets Formal <u>    </u> Sheets Informal <u>    </u> Sheets Amended |  |                            |
| <input type="checkbox"/> Notice of Missing Parts   |  |                            |
| <input type="checkbox"/> Combined Declaration and Power of Attorney  |  |                            |
| <input type="checkbox"/> Small Entity Statement  |  |                            |
| <input type="checkbox"/> Other <u>    </u>   |  |                            |



Atty./Sec. DL/DAV Client/ Cargill/Mt. in Brassica Plants Date 12/28/98  
 Initials DL/DAV Matter Name Cargill/Mt. in Brassica Plants

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Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

December 28, 1998

Attorney Docket No.: 07148/032001

**Box CPA**

Assistant Commissioner for Patents  
Washington, DC 20231

This paper is a request for a continuation under 37 C.F.R. 1.53(d) of:

Applicant:  
Title:

Lorin R. DeBonte, Zhegong Fan and Willie H.T. Loh  
PLANTS HAVING MUTANT SEQUENCES THAT  
CONFER ALTERED FATTY ACID PROFILES

Prior U.S. application no: 08/572,027  
Filing Date: December 14, 1995

The prior application was complete as defined by 37 CFR 1.51(b), or was a national stage of an international application filed in compliance with 35 USC §371.

The prior application was filed after June 8, 1995.

This request for a CPA is the reference to the prior application noted above as required by 35 USC §120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein.

The prior application is assigned of record to Cargill, Incorporated, a Delaware corporation, by virtue of an assignment submitted to the Patent and Trademark Office for recording on September 20, 1996 at 8143/0085.

"EXPRESS MAIL" Mailing Label Number EL078039185US

Date of Deposit 12/28/98  
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Julie Erickson  
Julie Erickson

BOSTON  
NEW YORK  
SILICON VALLEY  
SOUTHERN CALIFORNIA  
TWIN CITIES  
WASHINGTON, DC

FISH &amp; RICHARDSON P.C., P.A.

December 28, 1998

Page 2

This request includes 2 sheets, and the following:

## Enclosures:

- Postcard
- Check in the amount of \$1,720.00

The entire disclosure of the prior application is part of this application and is incorporated by reference.

Basic filing fee	760.00
Total claims in excess of 20 times \$18.00	414.00
Independent claims in excess of 3 times \$78.00	546.00
Fee for Multiple dependent claims	0.00
Total filing fee:	\$ 1,720.00

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.


If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at 612/335-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

Ronald C. Lundquist  
Fish & Richardson P.C.  
60 South Sixth Street, Suite 3300  
Minneapolis, MN 55402

Respectfully submitted,

  
Ronald C. Lundquist, Ph.D.  
Reg. No. 37,875  
Enclosures

PATENT  
ATTORNEY DOCKET NO. A21-535.1007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lorin R. DeBonte et al.                      Art Unit: 1649  
Serial No.: 08/572,027                                      Examiner: G. Benzion  
Filed : December 14, 1995  
Title : PLANTS HAVING MUTANT SEQUENCES THAT CONFER ALTERED  
FATTY ACID PROFILES

Assistant Commissioner for Patents  
Washington, DC 20231

TRANSMITTAL LETTER

The following correspondence relating to this  
application is enclosed for filing:

1. Response to Notice of Abandonment (1 page)
2. Copy of CPA papers as filed on December 28, 1998

and a copy of the postcard (3 pages);

Please charge any fees, or make any credits, to  
Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 19, 1999

Ronald C. Lundquist  
Ronald C. Lundquist, Ph.D.  
Reg. No. 37,875

Fish & Richardson P.C., P.A.  
60 South Sixth Street, Suite 3300  
Minneapolis, MN 55402

Telephone: 612/335-5070  
Facsimile: 612/288-9696  
21581.M11

Date of Deposit April 19, 1999  
I hereby certify under 37 CFR 1.8(a) that this correspondence is being  
deposited with the United States Postal Service as first class mail  
with sufficient postage on the date indicated above and is addressed to  
the Assistant Commissioner for Patents, Washington, D.C. 20231.

Ann Bonnier  
Ann Bonnier

PATENT

ATTORNEY DOCKET NO. A21-535.1007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 08/572,027                                      Examiner: G. Benzion  
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FATTY ACID PROFILES

Assistant Commissioner for Patents  
Washington, DC 20231

RESPONSE TO NOTICE OF ABANDONMENT

In response to the Notice of Abandonment mailed on February 11, 1999, Applicants note that a continuing prosecution application (CPA) was filed on December 28, 1998. A copy of the CPA papers are enclosed along with a copy of the return postcard bearing a date stamp of December 28, 1998.

Applicants respectfully request that examination of the CPA be initiated by the Patent and Trademark Office.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 19, 1999

Ronald C. Lundquist  
Ronald C. Lundquist, Ph.D.  
Reg. No. 37,875

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60 South Sixth Street, Suite 3300  
Minneapolis, MN 55402

Telephone: 612/335-5070  
Facsimile: 612/288-9696  
21581.M11

Date of Deposit April 19, 1999  
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Ann Pommier  
Ann Pommier

F+R-2

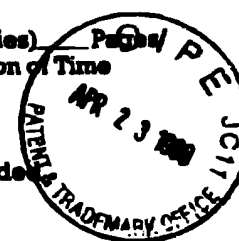
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- ☒ Transmittal Letter (2 copies)    ☐ With Pet. for Ext.  
☐ Assignment    ☐ Status Inquiry  
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☐ Maintenance Fee    ☐ Request Certificate of Correction  
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☐ Issue Fee    ☐ Request Patent Copies    ☐ Petition for Extension of Time  
☐ Information Disclosure Statement  
☐ PTO 1449 Form - \_\_\_\_\_ Pages  
☐ Prior Art References - Number of References \_\_\_\_\_  
☐ Drawings \_\_\_\_\_ Sheets Formal \_\_\_\_\_ Sheets Informal \_\_\_\_\_ Sheets Amended  
☐ Notice of Missing Parts  
☐ Combined Declaration and Power of Attorney  
☐ Small Entity Statement  
☒ Other Response to Notice of Abandonment (1 page); copy of CPA papers and return postcard (3 pages)



Atty/Sec. Initials RL/atp    Client/ Matter Name Cargill    Date 4-19-99